

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case
13-CA-118598Date Filed
12/9/2013

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

| | | |
|-----------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|--------------------------------------------|
| a. Name of Employer McDonald's | | b. Tel. No. 708-474-1081 |
| | | c. Cell No. |
| | | f. Fax No. |
| d. Address (Street, city, state, and ZIP code) 2425 East 79th Street Chicago, IL 60649-5111 | e. Employer Representative (b) (6), (b) (7)(C) | g. e-Mail |
| | | h. Number of workers employed 35 |
| i. Type of Establishment (factory, mine, wholesaler, etc.) Restaurant | j. Identify principal product or service Fast food | |

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) _____ of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

On **(b) (6), (b) (7)(C)** 2013, the above-named employer discriminated against employee **(b) (6), (b) (7)(C)** by refusing to allow **(b) (6), (b) (7)(C)** to continue to work and by treating **(b) (6), (b) (7)(C)** as a no-call/no-show in retaliation for **(b) (6), (b) (7)(C)** participation in a protected strike and in an effort to discourage **(b) (6), (b) (7)(C)** and other workers from engaging in protected, concerted activities.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)


Workers Organizing Committee of Chicago

| | | |
|----------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------|
| 4a. Address (Street and number, city, state, and ZIP code) 123 West Madison Street Suite 800 Chicago, IL 60602 | | 4b. Tel. No. 312-520-1424 |
| | | 4c. Cell No. |
| | | 4d. Fax No. 312-243-4731 |
| | | 4e. e-Mail |

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By  **Barry M. Bennett, Lawyer**
(signature of representative or person making charge) (Print/type name and title or office, if any)

Address **8 South Michigan Avenue, 19th Floor, Chicago, IL 60603** **12/9/13**
(date)

Tel. No. **312-372-1361**

Office, if any, Cell No.

Fax No. **312-372-6599**

e-Mail
bbennett@dbb-law.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Cases

| New | Case Number | Case Name | Date Filed | Status | IA Category | Charging Party/Petitioner | Blocked | Hot Topics | Dispute/Unit City | Dispute/Unit State | Charged Party/Employer | No. 8(b)(2) Discriminatees | No. 8(a)(3) Discriminatees | No. of Employees on Petition/Charge | Description | Inquiry Id | Type | Sub Type | Team | Field Agent | Field Supervisor | Barg Status | Closed Reason | Date Closed |
|-----|--------------|------------------------------------------------------|------------|--------|-------------|-----------------------------------------|---------|------------|-------------------|--------------------|-----------------------------------------------------|----------------------------|----------------------------|-------------------------------------|-------------|---------------------|------|----------|---------|-------------|------------------|-------------------------|-------------------------|-------------|
| | 13-CA-117083 | McDonald's | 11/14/2013 | Open | 2 | Workers Organizing Committee of Chicago | No | | Chicago | IL | McDonald's | | | 60 | | (b) (6), (b) (7)(C) | C | CA | JPROKOP | JPROKOP | RPAZ | None | | |
| | 13-CA-115647 | McDonald's | 10/25/2013 | Open | 2 | Workers Organizing Committee of Chicago | No | | Chicago | IL | McDonald's | | 1 | 25 | | | C | CA | JPROKOP | JPROKOP | RPAZ | None | | |
| | 13-CA-113821 | McDonald's | 9/20/2013 | Open | 2 | Workers Organizing Committee of Chicago | No | | Chicago | IL | McDonald's | | 1 | 35 | | | C | CA | JPROKOP | JPROKOP | RPAZ | None | | |
| | 13-CA-113837 | Wnght Management, Inc., d/b/a Rock-N-Roll McDonald's | 9/20/2013 | Open | 2 | Workers Organizing Committee of Chicago | No | | Chicago | IL | Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's | | 1 | 150 | | | C | CA | JPROKOP | JPROKOP | RPAZ | None | | |
| | 13-CA-112220 | Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's | 8/28/2013 | Closed | 2 | Workers Organizing Committee of Chicago | No | | Chicago | IL | Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's | | | 200 | | | C | CA | JPROKOP | JPROKOP | RPAZ | None | Withdrawal Non-adjusted | 9/30/2013 |
| | 13-CA-112046 | Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's | 8/26/2013 | Closed | 2 | Workers Organizing Committee of Chicago | No | | Chicago | IL | Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's | | 1 | 200 | | | C | CA | JPROKOP | JPROKOP | RPAZ | None | Withdrawal Non-adjusted | 9/30/2013 |
| | 13-CA-107668 | Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's | 6/20/2013 | Open | 2 | Workers Organizing Committee of Chicago | No | | Chicago | IL | Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's | | 1 | 200 | | | C | CA | JPROKOP | JPROKOP | PHITTERM | None | | |
| | 13-CA-106490 | Karavites Restaurants 11102 LLC, d/b/a McDonald's | 5/4/2013 | Open | 2 | Workers Organizing Committee of Chicago | No | | Chicago | IL | Karavites Restaurants 11102 LLC, d/b/a McDonald's | | | 25 | | | C | CA | JPROKOP | JPROKOP | PHITTERM | None | | |
| | 13-CA-106493 | RMC Loop Enterprises, LLC, d/b/a McDonald's | 6/4/2013 | Open | 2 | Workers Organizing Committee of Chicago | No | | Chicago | IL | RMC Loop Enterprises LLC d/b/a McDonald's | | | 25 | | | C | CA | JPROKOP | JPROKOP | PHITTERM | None | | |
| | 13-CA-106491 | Karavites Restaurants 26, Inc. d/b/a McDonald's | 6/4/2013 | Open | 2 | Workers Organizing Committee of Chicago | No | | Chicago | IL | Karavites Restaurants 26, Inc. d/b/a McDonald's | | 1 | 30 | | | C | CA | JPROKOP | JPROKOP | PHITTERM | None | | |
| | 13-CA-105770 | Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's | 5/23/2013 | Closed | 2 | Workers Organizing Committee of Chicago | No | | Chicago | IL | Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's | | 1 | 50 | | | C | CA | JPROKOP | JPROKOP | PHITTERM | None | Withdrawal Non-adjusted | 6/27/2013 |
| | 13-CA-103524 | Karavites Restaurants 26, Inc. d/b/a McDonald's | 4/23/2013 | Closed | 2 | Workers Organizing Committee of Chicago | No | | Chicago | IL | Karavites Restaurants 26, Inc. d/b/a McDonald's | | | 30 | | | C | CA | JPROKOP | JPROKOP | PHITTERM | Organizational Campaign | Withdrawal Non-adjusted | 6/6/2013 |
| | 13-CA-103525 | RMC Loop Enterprises, LLC d/b/a McDonald's | 4/23/2013 | Closed | 2 | Workers Organizing Committee of Chicago | No | | Chicago | IL | RMC Loop Enterprises LLC d/b/a McDonald's | | | 25 | | | C | CA | JPROKOP | JPROKOP | PHITTERM | None | Withdrawal Non-adjusted | 6/6/2013 |
| | 13-CA-103612 | Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's | 4/23/2013 | Closed | 2 | Workers Organizing Committee of Chicago | No | | Chicago | IL | Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's | | | 75 | | | C | CA | JPROKOP | JPROKOP | PHITTERM | None | Withdrawal Non-adjusted | 5/23/2013 |
| | 13-CA-103617 | Karavites Restaurants 11102, LLC d/b/a McDonald's | 4/23/2013 | Closed | 2 | Workers Organizing Committee of Chicago | No | | Chicago | IL | Karavites Restaurants 11102, LLC d/b/a McDonald's | | | 25 | | | C | CA | JPROKOP | JPROKOP | PHITTERM | None | Withdrawal Non-adjusted | 6/6/2013 |
| | 13-CA-100471 | McDonald's Corporation | 3/15/2013 | Closed | 3 | (b) (6), (b) (7)(C) | No | | Hammond | IN | MCDONALD'S CORPORATION | | | 60 | | | C | CA | DFLATTE | DFLATTE | RPAZ | None | Withdrawal Non-adjusted | 5/1/2013 |

(b) (7)(E)

12/9/2013



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
209 S La Salle St Ste 900
Chicago, IL 60604-1443

Agency Website: www.nlrb.gov
Telephone: (312)353-7570
Fax: (312)886-1341

December 9, 2013

(b) (6), (b) (7)(C)

McDonald's
2425 East 79th Street
Chicago, IL 60649

Re: McDonald's
Case 13-CA-118598

Dear (b) (6), (b) (7)(C):

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner JANA C. PROKOP whose telephone number is (312)353-8613 and whose e-mail address is jana.prokop@nlrb.gov. If this Board agent is not available, you may contact Deputy Regional Attorney RICHARD KELLIHER-PAZ whose telephone number is (312)353-7629.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge by December 23, 2013. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent.

Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read 'P. Sung', followed by a long horizontal line extending to the right.

PETER SUNG OHR
Regional Director

bz

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

Revised 3/21/2011

NATIONAL LABOR RELATIONS BOARD

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

McDonald's

CASE NUMBER

13-CA-118598

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)

2. TYPE OF ENTITY

☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)

3. IF A CORPORATION or LLC

A. STATE OF INCORPORATION
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS

5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR

6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).

7. A. PRINCIPAL LOCATION:

B. BRANCH LOCATIONS:

8. NUMBER OF PEOPLE PRESENTLY EMPLOYED

A. Total:

B. At the address involved in this matter:

9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates)

YES NO

A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. Did you **begin operations within the last 12 months**? If yes, specify date: _____

10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?

☐ YES ☐ NO (If yes, name and address of association or group).

11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

PRIVACY ACT STATEMENT

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UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

MCDONALD'S

Charged Party

and

**WORKERS ORGANIZING COMMITTEE OF
CHICAGO**

Charging Party

Case 13-CA-118598

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on December 9, 2013, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)

McDonald's
2425 East 79th Street
Chicago, IL 60649

December 9, 2013

Date

Brendan Zarling, Designated Agent of
NLRB

Name

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
209 S La Salle St Ste 900
Chicago, IL 60604-1443

Agency Website: www.nlrb.gov
Telephone: (312)353-7570
Fax: (312)886-1341

December 9, 2013

Workers Organizing Committee of Chicago
123 W Madison St Ste 800
Chicago, IL 60602-4621

Re: McDonald's
Case 13-CA-118598

Dear Sir or Madam:

The charge that you filed in this case on December 09, 2013 has been docketed as case number 13-CA-118598. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner JANA C. PROKOP whose telephone number is (312)353-8613 and whose e-mail address is jana.prokop@nlrb.gov. If the Board agent is not available, you may contact Deputy Regional Attorney RICHARD KELLIHER-PAZ whose telephone number is (312)353-7629.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlr.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read 'P. Sung', with a long horizontal flourish extending to the right.

PETER SUNG OHR
Regional Director

bz

Enclosures:

cc: Barry M. Bennett, ESQ., Attorney at Law
Dowd, Bloch & Bennett
8 S Michigan Ave
Fl 19
Chicago, IL 60603-3315

From: [Prokop, Jana C.](#)
To: ["ckim@jonesday.com"](mailto:ckim@jonesday.com)
Subject: McDonald"s 13-CA-118598
Date: Tuesday, December 10, 2013 2:30:56 PM
Attachments: [CHG.13-CA-118598.INTCHG.pdf](#)

Hi Charlene –

Here's the charge you requested. I see that I'm assigned the charge, so it's the first time I've seen the charge as well. If your firm is representing the Employer on this one, have them send me an e-mail and/or notice of appearance so I can enter them in our participant list for the case.

Once I get the specifics and if your firm is counsel, then I'll send a letter requesting specific evidence.

Thanks!

-Jana

From: [Barry Bennett](#)
To: [Prokop, Jana C.](#)
Subject: WOCC Charges
Date: Wednesday, December 18, 2013 1:05:17 PM

Jana,

Sorry we missed each other yesterday and I'm being a pest today, but very eager to talk to you about scheduling as we move into holiday period. Please call when you can; and if they tell you I'm on another call or anything, tell them I asked to be interrupted for your call.

Thanks.

Barry

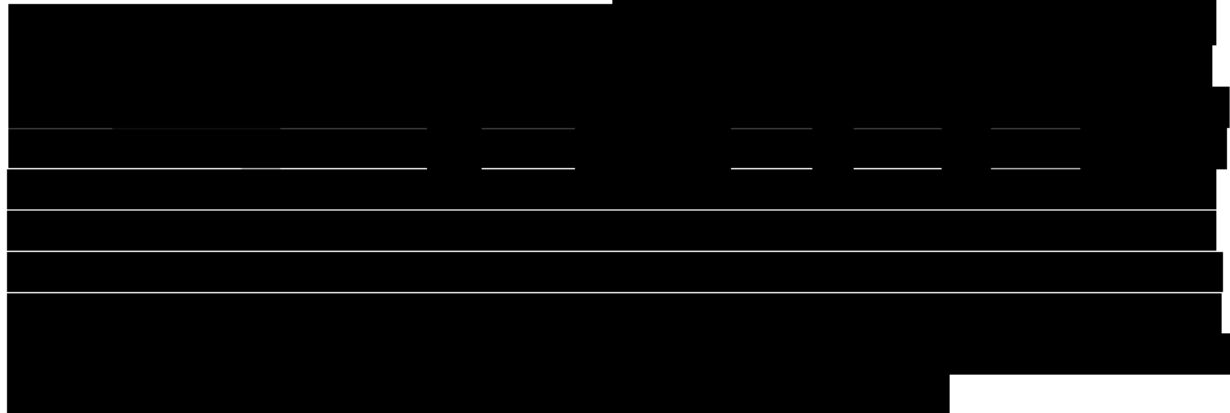
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December 23, 2013


From Jana Prokop

Re 13-CA-118598

This is regarding a phone conversation today from (b) (5), (b) (6), (b) (7)(C)



(b) (5), (b) (6), (b) (7)(C)



She said she'd fax me a response by today or tomorrow as I told her it would be fine if she got it to me by tomorrow.

From: [Prokop, Jana C.](#)
To: ["Barry Bennett"; "George Luscombe"](#)
Subject: McDonald's 13-CA-118598 and 118689
Date: Wednesday, (b) (6), (b) (7)(C) 2014 4:18:00 PM

Hi Barry & George –

Just wanted to let you know that I spoke to my supervisor regarding the above charges (regarding (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), (b) (7)(D) respectively) and he stated that the charges need to be withdrawn as the Charging Party has not presented evidence as of yet. These were filed on 12/9 and 12/10, so it's been a while that they've been filed with no evidence. I was asked to reiterate our 2 week deadline for presentation of witnesses, although I sympathize that it is difficult with them not knowing their schedules ahead of time.

I understand that we're still working on my meeting with (b) (6), (b) (7)(C), (b) (7)(D) and we'll continue to try to iron out the details for that appointment. If I take (b) (6), (b) (7)(C), (b) (7)(D) statement (b) (6), (b) (7)(C), (b) (7)(D) the Union can file a new charge covering what will be in (b) (6) affidavit.

In any event, please let me know by Monday (b) (6), (b) (7)(C) whether you'll be withdrawing the above charges. If not, I've been told I have to recommend dismissal.

Thanks!

-Jana

1/29/2013

13-CA-118598

This is regarding my conversation with my supervisor and DRA Kelliher-Paz. I informed him that in the instant charge, filed on December 9, the Union has yet to present its witness, despite repeated requests to do so. [REDACTED] (b) (5), (b) (6), (b) (7)(C)

[REDACTED]
[REDACTED]
[REDACTED]. I said I thought we should still solicit withdrawal, as CP hasn't presented evidence yet. DRA Kelliher-Paz agreed with me that we should solicit withdrawal, as we don't have any evidence from Charging Party as of yet.

From: [George Luscombe](#)
To: [Prokop, Jana C.](#)
Cc: [Barry Bennett](#)
Subject: 13-CA-118598, McDonald's, Union Withdrawal Request
Date: Friday, January 31, 2014 12:40:16 PM

Jana,

The Union requests to withdraw its charge in Case 13-CA-118598 (McDonald's).

Thank you for your assistance.

George

George A. Luscombe III
DOWD, BLOCH, BENNETT & CERVONE
8 South Michigan Avenue - 19th Floor
Chicago, IL 60603
Phone: 312/372-1361 | Fax: 312/372-6599
gluscombe@dbb-law.com

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From: [Prokop, Jana C.](#)
To: ["Barry Bennett"](#)
Subject: RE: WOCC/McDonald's
Date: Friday, January 31, 2014 2:58:00 PM

Nope – I have the withdrawals from George. Thanks!

From: Barry Bennett [mailto:bbennett@dbb-law.com]
Sent: Thursday, January 30, 2014 7:12 PM
To: Prokop, Jana C.
Subject: WOCC/McDonald's

Jana,

Based on the timing issues, we'll withdraw the charges involving the locations on Garfield and on 79th. We plan to refile for Garfield, of course, based on the affidavit you took from (b) (6), (b) (7)(C), (b) (7)(D). Not as sure about 79th.

Please let me know if you need anything else on this.

Thanks.

Barry

--

BARRY M. BENNETT
DOWD, BLOCH, BENNETT & CERVONE
8 South Michigan Avenue | 19th Floor | Chicago, IL 60603
Phone 312.372.1361 | Fax 312.372.6599

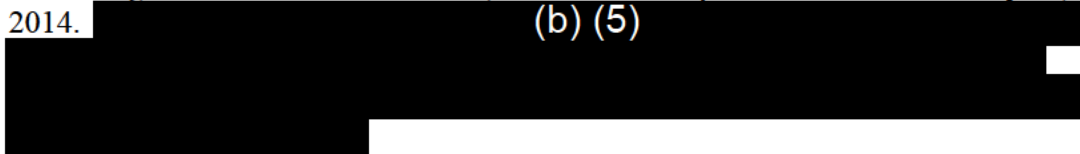
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Internal Case Memorandum

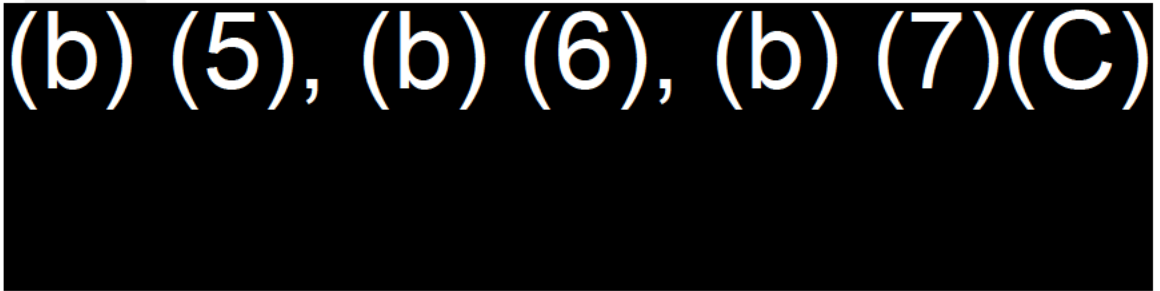
To: DRA Rich Kelliher-Paz
From: FX J. Prokop
Date: 01/31/2014
Re: McDonald's 13-CA-118598

For approval of withdrawal request

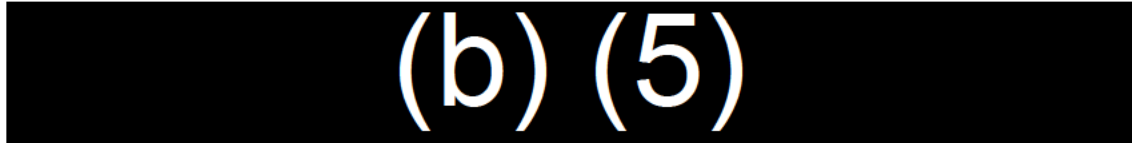
This charge was filed on December 9, 2013 with a disposition date of February 10, 2014. (b) (5)

A large black rectangular redaction box covering several lines of text.

(b) (5), (b) (6), (b) (7)(C)

A large black rectangular redaction box covering several lines of text.

(b) (5)

A black rectangular redaction box covering a line of text.

Withdrawal request: Today, the Union requested by e-mail to withdraw the charge.

Recommendation:

Inasmuch as the Charging Party requests to withdraw the charge, I recommend approval of the withdrawal request.

Field Examiner J. Prokop's Contact Log

Case Number *13-CA-118598*

Current Date **Time** **Who/what?**

Tuesday, December 10, 2013 1:06 PM VM from Charlene from Jones Day
wants charge 13-CA-118598 (I e-mailed)
312-269-4124

Monday, December 16, 2013 3:45 PM TC from Barry
will try to schedule witnesses soon. I told him rather than the 2 weeks, he can have 3
due to the holiday season.

Tuesday, December 17, 2013 12:59 PM VM from Barry
call him back re witnesses.

Tuesday, December 17, 2013 1:35 PM VM to Barry Bennett
phone tag.

Tuesday, December 17, 2013 4:08 PM VM from Barry
he'll try me later. He was in a meeting for a couple minutes.

Wednesday, December 18, 2013 9:34 AM VM from Barry
call him back

Wednesday, December 18, 2013 11:52 AM VM from Barry
call him back

Thursday, December 19, 2013 7:58 AM VM from Barry
call him back

Case Number 13-CA-118598

Current Date **Time** **Who/what?**

Thursday, December 19, 2013 10:00 AM VM to Barry
to call me back

Thursday, December 19, 2013 12:15 PM TC to Barry
I am available the 20th, 24th, and 27th. I will e-mail you re Mon 23rd. I think I'm working this day.

Monday, December 23, 2013 1:30 PM TC from Debra Douglas
just got charge and will respond by fax either today or tomorrow. See memo for conversation.

Monday, December 23, 2013 1:50 PM TC to Barry
informed him that (b) (5), (b) (6), (b) (7)(C) (b) (5)
(b) (5). Will try to get (b) (6), (b) (7)(C) in soon.

Friday, January 03, 2014 10:40 AM TC to Barry
(b) (5)
He will keep me posted.

Thursday, January 09, 2014 5:30 PM TC to Barry Bennett
he knows he still needs to present witness. He's working on it. Now that holidays are over, they'll try again.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
209 S La Salle St Ste 900
Chicago, IL 60604-1443

Agency Website: www.nlrb.gov
Telephone: (312)353-7570
Fax: (312)886-1341

February 5, 2014

(b) (6), (b) (7)(C)

McDonald's
2425 East 79th Street
Chicago, IL 60649

Re: McDonald's
Case 13-CA-118598

Dear (b) (6), (b) (7)(C):

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

/s/ Peter Sung Ohr

Peter Sung Ohr
Regional Director

cc: Barry M. Bennett, ESQ.
Dowd, Bloch & Bennett
8 S Michigan Ave., Floor 19
Chicago, IL 60603-3315

Workers Organizing Committee
of Chicago
123 W. Madison Street, Suite 800
Chicago, IL 60602-4621

(b) (6), (b) (7)(C)

McDonald's
1951 Bernice Road
Lansing, IL 60438